



## COUNTY OF LOS ANGELES

### JUDICIAL PROCEDURES COMMISSION

Kenneth Hahn Hall of Administration/500 West Temple Street, Room B-50/Los Angeles, California 90012 / (213) 974-1431

### MINUTES OF THE 693rd MEETING OF THE JUDICIAL PROCEDURES COMMISSION

The 693rd meeting of the Los Angeles County Judicial Procedures Commission was held on June 12, 2008 in Room 140 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California. A list of those present follows:

#### **MEMBERS PRESENT**

Nelson L. Atkins, Chair  
Paul A. Jacobs, Vice Chair  
Andrew Friedman  
Ann Jackson  
Clifton W. Albright  
Neal S. Millard  
William Galloway  
David C. Voss, Jr.  
Annie Y. Huang  
Gary L. Barr

#### **MEMBERS EXCUSED**

Bertrum M. CeDillos  
Sylvia Scott-Hayes  
Dennis P. Zine

#### **EX OFFICIO MEMBERS**

Heather Aubry, Los Angeles City Attorney's Office  
Samuel Dacus, Captain, Sheriff's Department  
Gretchen Nelson, Los Angeles County Bar Association

#### **COUNTY REPRESENTATIVES**

Bea Dieringer, District Attorney's Office  
Zoe Venhuizen, Superior Court Representative  
Margaret Little, Superior Court Representative

#### **GUEST(S)**

Cynthia Sands, Esq.

#### **STAFF**

George Britton, Commission Staff  
Mireya Rivera, Commission Staff

#### MEMBERS

Nelson L. Atkins  
**Chair**

Paul A. Jacobs  
**Vice Chair**

Clifton Albright  
Annie Y. Huang  
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### **CALL TO ORDER**

Chair Atkins called the 693rd regular meeting of the Los Angeles County Judicial Procedures Commission (JPC) to order at 12:34 p.m.

### **PLEDGE OF ALLEGIANCE**

The pledge of allegiance was lead by Commissioner Voss. Introductions of Commissioners, Ex-Officio Members and guests followed.

### **APPROVAL OF THE MINUTES OF MAY 8, 2008**

On motion of Commissioner Albright, seconded by Commissioner Friedman, and unanimously carried, the minutes for the meeting of May 8, 2008 were approved as submitted.

### **GUEST SPEAKER, CYNTHIA SANDS ESQ. - ATTORNEY CIVILITY**

Chairman Atkins welcomed and introduced Cynthia Sands, Attorney at Law. Ms. Sands thanked the Commission for the opportunity to address them on the issue of attorney civility. She stated that she is a member of the Attorney Civility Task Force (Task Force) which was established by the President of the California State Bar Association, Sheldon Sloan. She explained that the Task Force was created to develop guidelines of civility between attorneys in order to foster a level of professionalism beyond the California Rules of Professional Conduct. The proposed statewide guidelines are the results of a comprehensive review of civility programs across the Country and of various local bar associations throughout California.

Ms. Sands distributed copies of the *California Attorney Guidelines of Civility and Professionalism* (Guidelines) to the Commission. She explained that the Guidelines are intended to complement codes of professionalism adopted by bar associations in California. She further explained that the Guidelines are voluntary, but attorneys are encouraged to comply with both the spirit and letter of the Guidelines. It is the intent of the Task Force for attorneys to take a pledge to commit to the Guidelines and encourage other attorneys to observe them. However, the Guidelines are not mandatory rules of professional conduct, nor rules of practice, nor standards of care, and therefore, may not be used a basis for disciplinary charges by the State Bar or claims of professional misconduct.

Ms. Sands stated that it is the desire of the State Bar Task Force that each Superior Court post a copy of the Summary of Guidelines outside each Court room, consider adopting the Guidelines as part of the local rules and have each judge on the Court give consideration to making compliance with the Guidelines part of the Court's standing order. Ms. Sands provided the Commissioners with a draft letter that may be used to presiding judges requesting their compliance.

Ms. Sands stated that she would encourage the Commission to recommend to presiding judges to incorporate these Guidelines in the practice of the Courts in Los Angeles County. Ms. Sands concluded her presentation by asking if there were any questions or comments.

Zoe Venhuizen stated she was opposed to the posting of the Summary of Guideline outside of each Court room. She stated that there are 600 Court rooms throughout Los Angeles County Superior Court and that it is something she feels is an unnecessary expense. Ms. Sands responded that it is just a suggestion. The letter requesting presiding judges to incorporate the Guideline is just a draft. It may need to be revised to address different Superior Courts.

Commissioner Jacobs asked if Ms. Sands was available to speak before local bar associations. Ms. Sands stated yes she is available.

Commissioner Jacobs asked if the Los Angeles County Bar Association (Bar) has reviewed the Guidelines. Gretchen Nelson, President of the Los Angeles County Bar Association, stated that the Bar is reviewing it in the context of the State Bar, but has not finished its review.

Bea Dieringer, Office of the District Attorney, stated that the District Attorney's Office should review the Guidelines and report back to the Commission.

Chair Atkins requested that the Commission wait until it receives reports back from the Bar and the District Attorney's Office before the Commission considers making a recommendation.

Chairman Atkins thanked Ms. Sands for her informative presentation.

## **COMMITTEE REPORTS AND UPDATES**

### **Child Custody Exchange Program Update**

Vice-Chair Jacobs reported that he and Chairman Atkins, Bea Dieringer, Office of the District Attorney, and Georgia Thompson, Los Angeles Wings of Faith, had a very successful meeting with Supervisor Burke regarding the program. He then asked Bea Dieringer to share with the Commission the results of the meeting.

Ms. Dieringer reported the following:

The Temple City location, in Supervisor Antonovich's District is no longer operating. However, the Carson location, in Supervisor Burke's District, is currently operating on a fee for service basis. At the meeting with Supervisor Burke she was presented with information on the Program which included the cost to operate the Carson location for the months of November (\$4,039) and December (\$3,784) of 2006, the months the Program lost it's funding. Ms. Thompson presented Supervisor Burke with an estimate on the cost to operate the Program at the Carson location for one year. At the conclusion of the meeting Supervisor Burke agreed to financially support the program.

In order to establish a Program in the remaining Supervisorial District, the Committee has developed a three part plan. First the Committee must identify locations in First, Third and Fourth Supervisorial Districts (Fifth District has Temple City as a location) that will accommodate the Program. Second the Committee must select an agency and secure a quote for providing the necessary services to operate the Program. Finally, the Committee must prepare a proposal outlining the cost to support the Program in each of the Supervisorial Districts.

Ms. Dieringer stated that the Committee decision to meet with Supervisor Burke in advance of the completion of the three part plan was based on the fact that her District currently has the Program operating on a fee for service basis and that the Supervisor will soon be retiring from her position as Supervisor for the Second District. However, the Committee plans to complete its work as outlined in the three part plan before meeting with the other Supervisorial Districts.

Commissioner Jackson thanked the Committee members for their work and wanted to commend them on the three part plan. She further stated that meeting with the Supervisors and having the facts, locations and costs will increase the likeliness of securing financial support for the Program. Commissioner Jackson stated her support of the three part plan.

Commissioner Voss suggested that the Committee consider incorporating a "Fee for Service" provision as part of the proposal for the Program. He feels in a time of budgetary restraint that it may help to increase the chances of securing financial support for the Program if there is a revenue generating component to help offset the cost. Dr. Little stated that there is a branch of the Court that offers a Fee Base Service (Service) to determine participants' ability to pay and may be the Program could be linked up with the Service offered by the Court.

Chairman Atkins thanked all those involved for their work on the issue.

Diversity on the Bench Initiative

Commissioner Huang reported that Commissioner Zine has provided staff to work on collecting information on the diversity of judges serving on the bench. Commissioner Huang stated that putting this information together is very time consuming due to the fact that while information is available on individuals there is no general report on appointments overall.

Chairman Atkins presented Commissioner Huang with a Certification of Appreciation from the Commission for her generous donation of \$1,000 to the Commission's Trust Fund.

Chairman Atkins reported to the Commission that Councilman Zine has been appointed as a Commissioner to the Commission. He will be serving as one of Supervisor Yaroslavsky's appointees to the Commission.

Approve Amended Commission Bylaws

On motion of Commissioner Millard, and Seconded by Commissioner Friedman, and unanimously carried, the amended bylaws were approved as submitted.

Available County Resources to Provide Assistance to the Commission on Grants, Fundraising, Public Relations, Events, etc.

Chairman Atkins asked staff to determine if there are any County resources that would be available to assistance the Commission on writing grants etc. Staff will work with Commissioner Jackson to determine if any such resources exist and if they are available to assist the Commission.

**MATTERS NOT ON THE POSTED AGENDA (TO BE PRESENTED AND PLACED ON A FUTURE AGENDA)**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

There being no further business, the 693rd meeting of the Judicial Procedures Commission adjourned at 1:30 p.m.